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*Counsel for the Former Employee Defendants*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Reorganized Debtor.

MARC S. KIRSCHNER, AS LITIGATION TRUSTEE  
OF THE LITIGATION SUB-TRUST,

Plaintiff,

v.

JAMES D. DONDERO; MARK A. OKADA; SCOTT  
ELLINGTON; ISAAC LEVENTON; GRANT JAMES  
SCOTT III; FRANK WATERHOUSE; STRAND  
ADVISORS, INC.; NEXPOINT ADVISORS, L.P.;  
HIGHLAND CAPITAL MANAGEMENT FUND  
ADVISORS, L.P.; DUGABOY INVESTMENT TRUST  
AND NANCY DONDERO, AS TRUSTEE OF  
DUGABOY INVESTMENT TRUST; GET GOOD  
TRUST AND GRANT JAMES SCOTT III, AS  
TRUSTEE OF GET GOOD TRUST; HUNTER  
MOUNTAIN INVESTMENT TRUST; MARK &

Chapter 11

Case No. 19-34054-sgj11

Adv. Pro. No. 21-03076-sgj

PAMELA OKADA FAMILY TRUST – EXEMPT TRUST #1 AND LAWRENCE TONOMURA AS TRUSTEE OF MARK & PAMELA OKADA FAMILY TRUST – EXEMPT TRUST #1; MARK & PAMELA OKADA FAMILY TRUST – EXEMPT TRUST #2 AND LAWRENCE TONOMURA IN HIS CAPACITY AS TRUSTEE OF MARK & PAMELA OKADA FAMILY TRUST – EXEMPT TRUST #2; CLO HOLDCO, LTD.; CHARITABLE DAF HOLDCO, LTD.; CHARITABLE DAF FUND, LP.; HIGHLAND DALLAS FOUNDATION; RAND PE FUND I, LP, SERIES 1; MASSAND CAPITAL, LLC; MASSAND CAPITAL, INC.; SAS ASSET RECOVERY, LTD.; AND CPCM, LLC,

Defendants.

**AMENDED NOTICE OF STATUS CONFERENCE**

PLEASE TAKE NOTICE that, pursuant to the *Stipulation Regarding Defendants’ Motions to Withdraw the Reference* [Docket No. 65] (the “**Stipulation**”), the following matter has been rescheduled to be heard at a status conference on **Thursday, March 17, 2022 at 9:30 a.m. (Central Time)** in the above-captioned adversary proceeding:

1. *Motion to Withdraw the Reference for the Causes of Action in the Complaint Asserted Against the Former Employee Defendants* [Docket No. 27] (the “**Motion to Withdraw**”) and the *Brief in Support of Motion to Withdraw the Reference for the Causes of Action in the Complaint Asserted Against the Former Employee Defendants* [Docket No. 28] (the “**Brief**”) (the Court will conduct a status conference on the Motion to Withdraw and Brief).

The status conference will be held via WebEx videoconference before the Honorable Stacey G.C. Jernigan, United States Bankruptcy Judge. The WebEx video participation/attendance link for the hearing is: <https://us-courts.webex.com/meet/jerniga>. WebEx Hearing Instructions for the Hearing may be obtained from: <https://www.txnb.uscourts.gov/judges-info/hearing-dates/judge-jernigans-hearing-dates> and a copy of those instructions is attached to this notice.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Stipulation, the Litigation Trustee's response to the Motion to Withdraw shall be filed no later than 12:00 p.m. Central Time on March 4, 2022 and any reply brief in support of the Motion to Withdraw shall be filed no later than 12:00 p.m. Central Time on March 14, 2022.

Dated: January 31, 2022

By: /s/ Michelle Hartmann  
Michelle Hartmann  
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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on January 31, 2022, a true and correct copy of this document was served via the Court's CM/ECF system on all parties in the case who are registered users of the CM/ECF system.

/s/ Michelle Hartmann  
Michelle Hartmann

## **WebEx Hearing Instructions**

### **Judge Stacey G. Jernigan**

Pursuant to General Order 2020-14 issued by the Court on May 20, 2020, all hearings before Judge Stacey G. Jernigan are currently being conducted by WebEx videoconference unless ordered otherwise.

#### **For WebEx Video Participation/Attendance:**

Link: <https://us-courts.webex.com/meet/jerniga>

#### **For WebEx Telephonic Only Participation/Attendance:**

Dial-In: 1.650.479.3207

Meeting ID: 479 393 582

#### **Participation/Attendance Requirements:**

- Counsel and other parties in interest who plan to actively participate in the hearing are encouraged to attend the hearing in the WebEx video mode using the WebEx video link above. Counsel and other parties in interest who will not be seeking to introduce any evidence at the hearing and who wish to attend the hearing in a telephonic only mode may attend the hearing in the WebEx telephonic only mode using the WebEx dial-in and meeting ID above.
- Attendees should join the WebEx hearing at least 10 minutes prior to the hearing start time. Please be advised that a hearing may already be in progress. During hearings, participants are required to keep their lines on mute at all times that they are not addressing the Court or otherwise actively participating in the hearing. The Court reserves the right to disconnect or place on permanent mute any attendee that causes any disruption to the proceedings. For general information and tips with respect to WebEx participation and attendance, please see Clerk's Notice 20-04: [https://www.txnb.uscourts.gov/sites/txnb/files/hearings/Webex%20Information%20and%20Tips\\_0.pdf](https://www.txnb.uscourts.gov/sites/txnb/files/hearings/Webex%20Information%20and%20Tips_0.pdf)
- **Witnesses are required to attend the hearing in the WebEx video mode and live testimony will only be accepted from witnesses who have the WebEx video function activated.** Telephonic testimony without accompanying video will not be accepted by the Court.
- All WebEx hearing attendees are required to comply with Judge Jernigan's Telephonic and Videoconference Hearing Policy (included within Judge Jernigan's Judge-Specific Guidelines): <https://www.txnb.uscourts.gov/content/judge-stacey-g-c-jernigan>

#### **Exhibit Requirements:**

- Any party intending to introduce documentary evidence at the hearing must file an exhibit list in the case with a true and correct copy of each designated exhibit filed as a separate, individual attachment thereto so that the Court and all participants have ready access to all designated exhibits.
- If the number of pages of such exhibits exceeds 100, then such party must also deliver two (2) sets of such exhibits in exhibit binders to the Court by no later than twenty-four (24) hours in advance of the hearing.

#### **Notice of Hearing Content and Filing Requirements:**

**IMPORTANT:** For all hearings that will be conducted by WebEx only:

- The Notice of Hearing filed in the case and served on parties in interest must: (1) provide notice that the hearing will be conducted by WebEx videoconference only, (2) provide notice of the above WebEx video participation/attendance link, and (3) attach a copy of these WebEx Hearing Instructions or provide notice that they may be obtained from Judge Jernigan's hearing/calendar site: <https://www.txnb.uscourts.gov/judges-info/hearing-dates/judge-jernigans-hearing-dates>.
- When electronically filing the Notice of Hearing via CM/ECF select "at https://us-courts.webex.com/meet/jerniga" as the location of the hearing (note: this option appears immediately after the first set of Wichita Falls locations). Do not select Judge Jernigan's Dallas courtroom as the location for the hearing.